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August 10, 2023

VIA E-MAIL

Anthony Deo
c/o Harry R. Thomasson, Esq.
3280 Sunrise Highway, Box 112
Wantagh, NY 11793-4024

Re: Superb Motors Inc., Anthony Deo and Sarah Deo

Dear Mr. Thomasson:

This office represents Superb Motors Inc. (hereinafter the “Dealership”) and Robert Anthony Urrutia (hereinafter “Urrutia”). We write: (i) in response to your August 9, 2023 settlement correspondence; (ii) to advise you that you are not (nor have you ever been) authorized to represent the Dealership in any capacity, must withdraw as counsel in any action in which you have appeared as counsel for the Dealership, and provide us with a list of any actions or cases in which you have so appeared with the status thereof immediately; and (iii) demand the return of all vehicles, dealer plates, and any other assets owned by Team Auto Sales LLC and/or the Dealership, as further set forth below.

You assert that your client Anthony Deo (“Mr. Deo”) paid a sum of money in November 2022 for “one half” of the Dealership, at which point operation of the business was turned over to Mr. Deo. This is inaccurate. Reference is made to the December 1, 2022 Indemnity Agreement between Mr. Deo and Urrutia, as well as the Shareholders’ Agreement for the Dealership dated December 21, 2022, which provides that Mr. Deo’s ownership interest is 49%, not half. Your “allegation” that Mr. Deo is a 100% owner is ludicrous, and the maintenance of an office at the Dealership is not dispositive of the ownership thereof.¹

You reference a handshake deal about purchasing three (3) additional dealerships in Connecticut. Setting aside the fact that Urrutia denies any such “handshake” deal, this is not relevant to the instant dispute between the parties.

You next argue that there is no operating agreement² that exists for the operation of Superb. This is also inaccurate.

¹ We are also aware that this not the first time you have infiltrated a dealership in order to then claim that it is now yours. It is apparent that this strategy has not worked for you in the past, nor will it work for you here.

² Because the Dealership is a corporation and not a limited liability company, you are correct that there is no operating agreement. However, as referenced above, there does exist a shareholders’ agreement. That agreement controls the parties’ relationship here.

The shareholders' agreement provides that Urrutia owns 51% of the Dealership, and has final authorization on the right to make all decisions concerning day-to-day operations of the Dealership, or to delegate such authority as he desires, as well as the right to hire and/or terminate all employees, among other powers. See ¶ 1(C) of the shareholders' agreement. The shareholders' agreement further provides that Urrutia has the final say on hiring and firing employees, all other personnel decisions, including but not limited to third party vendors, agents and/or contractors; capitalization of the Dealership; establishment of sales and administrative policies, as well as marketing techniques for automobile sales; approval and management of all sales and resales of used vehicles; approval or disapproval of profit margins; establishment of policies and standards for services provided by the Dealership, as well as supervision and complete authority over Dealership's activities; review and final approval of financing arrangements with lending institutions to be utilized by the Dealership in financing the purchase of used vehicles by customers and approval of creditworthiness of potential purchasers of automobiles; supervise and have complete control of the accounting department of the Dealership, which shall include but not be limited to sole check authorization and sole control of bank accounts owned by the Corporation. See ¶ 12(A) of the shareholders' agreement.

In contrast, Deo's responsibilities at the Dealership are expressly limited. See ¶ 12(B) of the shareholders' agreement.

Crucially, and contrary to your position in your correspondence, the shareholders' agreement cannot be changed, modified, or amended except by a writing signed by Mr. Deo and Urrutia, which you have not produced. See ¶ 13(A) of the shareholders' agreement. A "handshake deal" doesn't cut it. More importantly, the shareholders' agreement constitutes the entire agreement and understanding between Mr. Deo and Urrutia, merges and supersedes all prior discussions and understandings of every kind and nature among them. See ¶ 13(B) of the shareholders' agreement.

On August 3, 2023, following a physical audit by Urrutia (which he is empowered to do under the shareholders' agreement), it came to light that 102 vehicles were missing from the Dealership. When Mr. Deo failed to adequately explain why each of these vehicles were not present at the Dealership as they are required to be, Urrutia exercised his rights to remove Mr. Deo from the Dealership. This correspondence serves as a formal demand for the return of the remaining unaccounted vehicles. See copy of list of remaining vehicles to be returned. The physical audit resulted in a complete top-down audit of all Dealership operations, which made clear that you have engaged in numerous acts of theft and fraud at the Dealership. [REDACTED]

You are being given an opportunity to voluntarily return the vehicles, dealer plates, and any other assets of the Dealership no later than tomorrow, August 11, 2023. Barring same, we will avail ourselves of our rights in every available legal forum.

Dated: Lake Success, New York
August 10, 2023

Guide yourself accordingly,

MILMAN LABUDA LAW GROUP PLLC

/s/ Emanuel Kataev, Esq.

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*Attorneys for Superb Motors Inc.
and Robert Anthony Urrutia*

VIN #	Year	Make	Model
WBXHT3C57K5L90705	2019	BMW	X1
ZASPAKBN5L7C91095	2020	Alfa Romeo	Stelvio
SALYL2RV2JA704483	2018	Land Rover	Range Rover Velar
WBXHT3C32J5L33373	2018	BMW	X1
5N1DL0MM6LC528999	2020	Infiniti	QX60
WDD7X8KB7KA001866	2019	Mercedes-Benz	AMG GT
2C3CDXH66MH531592	2021	Dodge	Charger
2C3CDXH61MH505823	2021	Dodge	Charger
1C4SDJCT1MC574393	2021	Dodge	Durango
1C4PJMDB3HW512178	2017	Jeep	Cherokee
WBA3T3C51G5A41943	2016	BMW	4 Series
WBA4J7C57KBM75468	2019	BMW	4 Series
5UXKR0C51J0X88387	2018	BMW	X5
1C4PJMLB0KD429828	2019	Jeep	Cherokee
ZN661XUAXHX252844	2017	Maserati	Levante
WBA8E5G56GNU21721	2016	BMW	3 Series
SALWR2RV8JA189351	2018	Land Rover	Range Rover Sport
JTJBARBZ9J2171144	2018	Lexus	NX
1FTEW1EF1GFB67420	2016	Ford	F-150
WBAHN83588DT77672	2008	BMW	7 Series
1FTYR14E39PA15942	2009	Ford	Ranger
5N1BV28UX4N365724	2004	Nissan	Quest
5UXZV4C57CL889887	2012	BMW	X5
3GCPYFED9MG383394	2021	Chevrolet	Silverado 1500
1GYS4HKJ1LR164384	2020	Cadillac	Escalade ESV
1GNSKBKD9NR280798	2022	Chevrolet	Suburban
1GNSKBKD3PR116286	2023	Chevrolet	Suburban
1GNSKBKD9PR148675	2023	Chevrolet	Suburban
3GTU9CET8MG352840	2021	GMC	Sierra 1500
SALGS2KF4GA246777	2016	Land Rover	Range Rover
WBXHT3C3XH5F81562	2017	BMW	X1
SALYL2EX8KA220195	2019	Land Rover	Range Rover Velar
5UXWX9C50H0T04666	2017	BMW	X3
1FATP8UH1K5152260	2019	Ford	Mustang
2C4RDGBG4CR249331	2012	Dodge	Grand Caravan
1FM5K7B8XEGA63757	2014	Ford	Explorer
4JGAB74E1YA173539	2000	Mercedes-Benz	M-Class
JTJBT20X660124417	2006	Lexus	GX 470
WBXHT3C59K5L90009	2019	BMW	X1
WBA7F2C30HG423286	2017	BMW	7 Series
ZARFAEDN3J7575105	2018	Alfa Romeo	Giulia
1C4HJXFN5JW331845	2018	Jeep	Wrangler Unlimited
5YMTS0C02L9B09685	2020	BMW	X3 M
1C4RDHDG7JC438967	2018	Dodge	Durango
WA1D7AFP9GA019801	2016	Audi	Q5
JTHCK262672016812	2007	Lexus	IS 250

Dealer Plates
6104546
6104547
6104548
6104549
6104550
6104552
6104553
6104554
6104555

WBA4W9C54KAF94021	2019	BMW	4 Series
1FAHP2KT8CG137030	2012	Ford	Taurus
5FNYP4H58EB056804	2014	Honda	Pilot
WDDGF4HB6DR268407	2013	Mercedes-Benz	C-Class
WA1LAAF75KD048863	2019	Audi	Q7
WA1B4AFY8L2087049	2020	Audi	SQ5
WA1LHAF72KD026699	2019	Audi	Q7
WA1LHAF72KD040991	2019	Audi	Q7
JTHG81F2XL5041909	2020	Lexus	IS
5TDBT44A84S221021	2004	Toyota	Sequoia
SALSH23489A203925	2009	Land Rover	Range Rover Sport
5UXUJ5C54K9A32646	2019	BMW	X4
WBAJB1C53KB375171	2019	BMW	5 Series
WA1LAAF77KD012026	2019	Audi	Q7
WA1LHAF75KD026082	2019	Audi	Q7
1C4SDJCT2MC520441	2021	Dodge	Durango
4JGFB4KB0LA194078	2020	Mercedes-Benz	GLE
5UXTY9C06LLE59513	2020	BMW	X3
2FMEK63C89BA19931	2009	Ford	Flex
WA1LAAF73KD009818	2019	Audi	Q7
2C4RDGCG0KR788610	2019	Dodge	Grand Caravan
1FMEU74E57UA52487	2007	Ford	Explorer
WDBUF87X48B272857	2008	Mercedes-Benz	E-Class
ZASPAKBN0L7C92090	2020	Alfa Romeo	Stelvio
SALGW2SE6KA533297	2019	Land Rover	Range Rover
WP0AF2A74GL082172	2016	Porsche	Panamera
1FATP8UH6K5190020	2019	Ford	Mustang
WDDUG8GB4KA445850	2019	Mercedes-Benz	S-Class
1G1ZD5STXLF122021	2020	Chevrolet	Malibu
WBANB53507CP08338	2007	BMW	5 Series
WBAFU7C54BC879208	2011	BMW	5 Series
1G1105S35JU116841	2018	Chevrolet	Impala
WDDSJ4GB7JN508433	2018	Mercedes-Benz	CLA
55SWF4KB0HU188660	2017	Mercedes-Benz	C-Class
WDDLJ9BBXGA169966	2016	Mercedes-Benz	CLS
JN1BY1PR8FM830659	2015	Infiniti	Q70L
5NPEB4AC0DH635244	2013	Hyundai	Sonata
SALYB2EX4KA782114	2019	Land Rover	Range Rover Velar
SALYA2EX8KA791014	2019	Land Rover	Range Rover Velar
2T2ZZMCA6HC073637	2017	Lexus	RX
SALVP2RXXJH323156	2018	Land Rover	Range Rover Evoque
JN8AZ1MW1AW112694	2010	Nissan	Murano
WAUB4CF56JA083170	2018	Audi	S5 Sportback
1GYS4KKL8MR234494	2021	Cadillac	Escalade ESV
W1K7X6BB7LA016406	2020	Mercedes-Benz	AMG GT
SALGS2RE3KA519794	2019	Land Rover	Range Rover
WAUP4AF5XJA095252	2018	Audi	S5 Coupe

WDBUF56X99B373460	2009	Mercedes-Benz	E-Class
WBAKC8C56ACY68247	2010	BMW	7 Series
WA1KK78R59A048822	2009	Audi	Q5
3VW4T7AJ8HM312579	2017	Volkswagen	Jetta
1FM5K8D89EGA21518	2014	Ford	Explorer
ZAM57YTLXK1316469	2019	Maserati	Ghibli
55SWF4KB5GU101091	2016	Mercedes-Benz	C-Class
1C4RJFCT1FC653909	2015	Jeep	Grand Cherokee
WBA4E5C59HG188797	2017	BMW	4 Series
5GALVBED8AJ256342	2010	Buick	Enclave
WDDJK7DA4JF052861	2018	Mercedes-Benz	SL
WA1C4AFY9L2045025	2020	Audi	SQ5
WP1AB2A23BLA47985	2011	Porsche	Cayenne
1C4RJFCG8KC788432	2019	Jeep	Grand Cherokee
4T1BZ1HK5JU014962	2018	Toyota	Camry
ZAM56RRAXG1187624	2016	Maserati	Quattroporte
WAUF2AFC3GN063552	2016	Audi	S6
WBAJE7C5XKWW08935	2019	BMW	5 Series
SALGS5SE6LA408198	2020	Land Rover	Range Rover
SCA666D53HU102728	2017	Rolls-Royce	Dawn
1C4PJMDX3KD245817	2019	Jeep	Cherokee
55SWF4KB7JU273873	2018	Mercedes-Benz	C-Class
WBA2H9C36HV986948	2017	BMW	2 Series
ZAM57YTA4K1314330	2019	Maserati	Ghibli
WAUHGAF3GN009650	2016	Audi	A6
WBA7F2C5XJB238313	2018	BMW	7 Series
WA1L2AFP0GA040272	2016	Audi	Q5
WBASP0C58DC988075	2013	BMW	5 Series Gran Turismo
SCFSMGAW1LGN03929	2020	Aston Martin	Vantage
7SAYGDEF2NF531053	2022	Tesla	Model Y
1FDWX37R38ED27725	2008	Ford	Super Duty F-350 DRW
ZPBUA1ZL3KLA01428	2019	Lamborghini	Urus
WBS3U9C50FP967858	2015	BMW	M4
1FMCU9JD3HUD14412	2017	Ford	Escape
2C4RDGEG7GR384403	2016	Dodge	Grand Caravan
1C4PJMAK9CW133196	2012	Jeep	Liberty
4JGFF5KE3LA146109	2020	Mercedes-Benz	GLS 450
WA1AAAF78KD002872	2019	Audi	Q7 Quattro Premium
1C4HJXFN3MW668101	2021	Jeep	Wrangler Unlimited
5J8YD4H38LL019056	2020	Acura	MDX
5XXGT4L39KG282398	2019	Kia	Optima
SALGV5RE3KA525460	2019	Land Rover	Range Rover Autobiography
SALYB2RX0JA770423	2018	Land Rover	Range Rover Velar
WA1LHAF74KD025148	2019	Audi	Quattro
WDDSJ4GB7KN725983	2019	Mercedes-Benz	CLA 250 4MATIC
1GNSKBD5NR360485	2022	Chevrolet	Suburban LS
5UXTR9C57KLE12580	2019	BMW	X3 Xdrive 30i

WAUWGAF8GN035733	2016	Audi	A7 Quattro Premium Plus
WBA8B7C55GK368800	2016	BMW	340i XDrive
1GNSKBKD1NR324812	2022	Chevrolet	Suburban LS
1GNSKHKC7GR178042	2016	Chevrolet	Suburban LT
1GYS4HKJ8LR109544	2020	Cadillac	Escalade ESV
SALVP2BG2GH078520	2016	Land Rover	Range Rover Evoque
SALYB2EX7LA248235	2020	Land Rover	Range Rover Velar
5UXKU2C53G0N83978	2016	BMW	X6 XDrive 35i
WA1B4AFYXK2139568	2019	Audi	SQ5 Quattro Premium Plus
WBA8B7C55JA572994	2018	BMW	340i XDrive
WBA8B7C56GK487293	2016	BMW	340i XDrive
WBA8B7C59JA411869	2018	BMW	340i XDrive
WAUB8GFF5G1107889	2016	Audi	A3 Quattro Premium
WDDWK4KB4HF441333	2017	Mercedes-Benz	C300 4MATIC
SALGV2FE5HA328270	2017	Land Rover	Range Rover Autobiography
WBA4J7C51KBM76308	2019	BMW	440i XDrive Gran Coupe
1FTFW1E56JFD20487	2018	Ford	F-150 Lariat